

ATTORNEY DOCKET NO. 22841-018
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
) Customer No.: 20277	
NICOLSON et al.)	
0 : 111 00/040 500) Confirmation No.: 6172	RECEIVED
Serial No.: 09/640,526) 	
Filed: August 17, 2000) Group Art Unit: 1714) Examiner: Edward Cain	SEP / 9 2004
Filed: August 17, 2000) Examiner. Edward Cam	-
FOR: EXTENDED WEAR OPH	THALMIC LENS	TC 1700

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. The cited references are believed to be the most relevant known to Applicants and/or Assignee at this time concerning the invention as claimed in the above-captioned patent application. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Applicant(s) respectfully request(s) that each of the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of each reference is attached.

- [] 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.
- [X] 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - [] a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

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- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- [X] c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p). Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 50-0417 in the amount of \$180.00 for payment of the petition fee. Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
 - [] a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - [] b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417. A duplicate copy of this communication is attached.

Respectfully submitted,

McDERMOTF WILL & EMERY LLP

Date: September 8, 2004

Registration No. 26,151

600 13th Street, N.W., Suite 1200 Washington, D.C. 20005-3096 Telephone: 202-756-8000

Facsimile: 202-756-8087

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d States District Court	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 846-941, April 2004.						
d States District Court 89-844, April 2004.	J W. Story, Unite led Trial Exhibits	al Before the Honorable Richard ivision, Bausch & Lomb's Admitt	nT, .omb, Inc., Tri of Georgia, Atlanta D	CIBA Vision Corporation v. Bau			
d States District Court 787 B, C & D, April	. VV. Story, Unite ted Trial Exhibits	al Before the Honorable Richard ivision, Bausch & Lomb's Admitt	och & Lomb, Inc., Tri of Georgia, Atlanta D	CIBA Vision Corporation v. Bau Judge for the Northern District of 2004.	н		
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d States District Count	J W. Story, Unite	al Before the Honorable Richard ivision, Bausch & Lomb's Admitt	sch & Lomb, Inc., Tr	CIBA Vision Corporation v. Bau	.		
d States District Court 276-422 April 2004.	otinU ,yory, Unite ed Trial Exhibits	al Before the Honorable Richard ivision, Bausch & Lomb's Admitt	nT,omb, Inc., Tri of Georgia, Atlanta D	CIBA Vision Corporation v. Bau Judge for the Northern District of	3	-1- 1-11	
d States District Court 141-274, April 2004.	t W. Story, Unite ed Trial Exhibits	al Before the Honorable Richard ivision, Bausch & Lomb's Admitt	hT,omb, Inc., Tra of Georgia, Atlanta D	CIBA Vision Corporation v. Bau Judge for the Morthern District of	а		
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	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						
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		DOCUMENTS	U.S. PATENT				
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	al.	Paul NICOLSON, et					
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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CITATION IN AN APPLICATION			ATTY. DOCKET NO. 22841-018	SERIAI 09/640				
		·		APPLICANT Paul NICOLSON, e	t al.			
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INITIALS	CITE NO.	published. CIBA Vision Corporation v. Ba.	usch & Lomb, Inc., T	e(s), volume-issue number(s), p rial Before the Honorable Richa	rd W. Story, United S	States District Co		
	Ĺ	CIBA Vision Corporation v. Ba	usch & Lomb, Inc., T	Division, Bausch & Lomb's Admi rial Before the Honorable Richa	rd W. Story, United S	States District Co	ourt	
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	Р	CIBA Vision Corporation v. Bar Judge for the Northern District	usch & Lomb, Inc., T of Georgia, Atlanta I	rial Before the Honorable Richa Division, CIBA'S Admitted Trial E	rd W. Story, United S Exhibits 36-93, April :	States District Co 2004.	urt	
	Q	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richa Division, CIBA'S Admitted Trial E	Exhibit 94, April 2004	l.		
	R	Judge for the Northern District	of Georgia, Atlanta [nar Before the Honorable Richa Division, CIBA'S Admitted Trial E	Exhibits 95-183, Apri	2004.		
	S	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richal Division, CIBA'S Admitted Trial E	xhibits 184-332, Ap	ril 2004.		
	T	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richar Division, CIBA'S Admitted Trial B	xhibits 353-567, Ap	ril 2004.		
	U	Judge for the Northern District		rial Before the Honorable Richal Division, CIBA'S Admitted Trial E	Exhibits 601-619, Ap	ril 2004.	urt	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION			ATTY. DOCKET NO. 22841-018 SERIAL NO. 09/640,526							
				APPLICANT Paul NICOLSON, et al.						
	(PTO-1449)			FILING DATE August 17, 2000	1					
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	- 11	002710	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #17 & #18 **BITC** CibaVision 6/30/93, CV51 002710							
	JJ	CIBA Vision Corporation v. Bau 002711	usch & Lomb, Inc.,	Ciba Vision "See 3" Tape #19 & #	20 **BITC** Ci	baVision 6/3	0/93, CV51			
	КК	002712		Ciba Vision "See 3" Tape #21 & #			, , , , , , , , , , , , , , , , , , ,			
	LL	002713		Ciba Vision "See 3" Tape #23 & #						
	MM	002708		Ciba Vision "See 3" Tape #25 & #						
	NN OO	002706		Ciba Vision "See 3" Tape #27 & #						
-	PP	CV51 002714	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #29 RP Golf "Awards-Tape" CibaVision 6//30/93 CV51 002714 CIBA Vision Corporation v. Bausch & Lomb, Inc., Tape, 1. See3 Z-Por/ Dextran 6-10-95 Time – 1:50 2. See3 Dispensing							
	QQ	Study 6-10-95 Infiltrates - Mco	v/Raus Time 2:00,				· · ·	,		
		CV51 002536		•	•					
	RR	16-20, 1992, Erba, Italy Tape 1	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meeting, September 16-20, 1992, Erba, Italy Tape 1 of 4 Time: 6 Hours, CV51 002532							
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TT CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meeting, September 16-20, 1992, Erba, Italy Tape 3 of 4 Time: 6 Hours, CV51 002534										
UU CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meet 16-20, 1992, Erba, Italy Tape 4 of 4 Time: 6 Hours, CV51 002535						ation Meetin	g, September			
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CITATION DISCLOSURE CITATION IN AN APPLICATION			ATTY. DOCKET NO. 22841-018 SERIAL NO. 09/640,526						
				APPLICANT Paul NICOLSON, e	t al.				
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	V	CIBA Vision Corporation v. Bar Judge for the Northern District	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court udge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Trial Exhibit 620, April 2004.						
	W	CIBA Vision Corporation v. Bar Judge for the Northern District	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Trial Exhibits 621-640, April 2004.						
	X		CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Demonstrative Trial Exhibits 100-114, April 2004.						
	Y	Judge for the Northern District April 2004.	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Demonstrative Trial Exhibits 27-82, April 2004.						
	Z	Judge for the Northern District 2004.	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Demonstrative Trial Exhibit 83, April 2004.						
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	BB	002701	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #03 & #04 **BITC** CibaVision 6/30/93, CV51 002701						
	CC	002702							
	DD	002703	CiBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #07 & #08 **BITC** CibaVision 6/30/93, CV51 002703						
	EE	002704		Ciba Vision "See 3" Tape #09 & #					
	FF	002705							
	GG	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #13 & #14 **BITC** CibaVision 6/30/93, CV51 002707 CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #15 & #16 **BITC** CibaVision 6/30/93, CV51							
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